# Respond to Acas consultation on the predictable working pattern Code of Practice

Use this document to respond to our [consultation on the draft Acas Code of Practice on handling requests for a predictable working pattern](https://www.acas.org.uk/about-us/acas-consultations/code-of-practice-predictable-working-pattern-2023), if you’re not able to use the [online response form](https://www.acas.org.uk/form/working-pattern-consultation).

Please email your response to [consultations@acas.org.uk](mailto:consultations@acas.org.uk)

If you need to submit your response in another way, email [workplacepolicy@acas.org.uk](mailto:workplacepolicy@acas.org.uk) to request an alternative format.

To make your submission as helpful as possible to Acas, please:

* read the [draft Code](https://www.acas.org.uk/about-us/acas-consultations/code-of-practice-predictable-working-pattern-2023/draft-code) and the [consultation document](https://www.acas.org.uk/about-us/acas-consultations/code-of-practice-predictable-working-pattern-2023) in full before responding
* keep your response concise and to the point – we suggest a limit of 500 words for each question

Consultation closes: 11:59pm on 17 January 2024

## Your details

1. Your name (required):  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Your email address (required):   
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. In what capacity are you responding to this consultation? (required)

☐ Employer   
☐ Employer representative organisation, employer association or industry association   
☐ Trade union or other employee representative organisation   
☐ Other organisation – please describe: \_\_\_\_\_\_\_\_\_\_\_\_\_

## About your organisation

1. Your organisation's name (required): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. How many people does your organisation employ? Note: This is the number of people working in the whole organisation.

☐ Sole trader (0 employees)

☐ 0 to 9   
☐ 10 to 49  
☐ 50 to 249  
☐ More than 250   
☐ Don't know

3. How would you classify your organisation?

☐ Mainly seeking to make a profit  
☐ A public sector organisation   
☐ A social enterprise   
☐ A charity, advocacy, voluntary or third sector organisation   
☐ Don't know

4. If you are an employer representative organisation, employer association or industry association, approximately how many organisations do you represent?

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

5. If you are a trade union or other employee representative organisation, approximately how many individual members do you represent?

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## Consultation questions

We suggest a limit of 500 words for each question.

### Question 1 of 12

Should the Code be split into 2 sections: one dedicated to requests to employers, and another to requests to agencies or hirers?

☐ Yes  
☐ No  
☐ Don't know

Please explain the reasoning for your answer.

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### Question 2 of 12

Is the term ‘worker(s)’ and its associated meaning under the 2 separate sections of the Code sufficiently easy to understand?

☐ Yes  
☐ No  
☐ Don't know

If you answered ‘yes’ or ‘don’t know’, please explain the reasoning for your answer.

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If you answered ‘no’, how should the Code differentiate between (a) employees and workers who are not agency workers and (b) agency workers?

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Please explain the reasoning for your answer, and where appropriate, please include any suitable alternative terminology that you would like to see.

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### Question 3 of 12

Please set out any specific areas of the Code that you feel would benefit from further clarification.

Please include your reasoning and suggestions for improvement.

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### Question 4 of 12

Does the Foreword to the Code set the right tone in encouraging responsible and fair use of flexible contracts, while summarising the key principles of good practice included in the Code?

☐ Yes  
☐ No  
☐ Don't know

Please explain the reasoning for your answer.

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### Question 5 of 12

Should the Code include a section on protections from detriment and dismissal?

☐ Yes  
☐ No  
☐ Don't know

If you answered ‘no’ or ‘don’t know’, please include your reasoning.

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If you answered ‘yes’, should the example of ceasing or reducing hours, as a direct response to making a request for a predictable working pattern, be included in the Code? Or should this be included in the non-statutory guidance instead?

☐ The Code  
☐ The non-statutory guidance  
☐ Neither the Code nor the non-statutory guidance  
☐ Don’t know

Please explain your reasoning.

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If you answered ‘yes’, please set out any other examples of detriment you would like to see included in either the Code or non-statutory guidance.

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### Question 6 of 12

What are the advantages and disadvantages of the Code recommending that workers should be allowed to be accompanied at meetings to discuss a request for a predictable working pattern?

Please include your reasoning.

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### Question 7 of 12

What is your opinion on the Code recommending the same categories of companion as those that are allowed in discipline and grievance meetings?

Please include your reasoning.

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### Question 8 of 12

For agency workers, what are the practical considerations around the Code recommending that a companion may be a fellow worker from the agency, hirer or both?

Please include your reasoning.

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### Question 9 of 12

Should the Code recommend that employers, agencies and hirers provide any additional information which is reasonable to help explain why a request has been rejected?

☐ Yes  
☐ No  
☐ Don't know

Please explain the reasoning for your answer.

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### Question 10 of 12

What are the advantages and disadvantages of the Code stipulating that, wherever possible, an appeal should be handled by a manager not previously involved with a request?

Please include your reasoning.

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### Question 11 of 12

Should the Code include a section about the right to request flexible working?

☐ Yes  
☐ No  
☐ Don't know

If you answered ‘no’ or ‘don’t know’, please explain the reasoning for your answer.

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If you answered ‘yes’, do you believe that paragraphs 14 to 16 in the draft Code provide sufficiently clear guidance on the interaction between the 2 rights?

☐ Yes  
☐ No  
☐ Don't know

Please explain the reasoning for your answer.

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### Question 12 of 12

Please set out any other areas that you feel should be included in the Code or non-statutory guidance.

Please include your reasoning.

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## Send your response

Please email your response to [consultations@acas.org.uk](mailto:consultations@acas.org.uk)

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